
Appeal Decision

Site visit made on 20 June 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 June 2017

Appeal Ref: APP/N5090/W/17/3172667

Alfriston, Wayside, Golders Green, London NW11 8QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Emil Siminovitch against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/8198/FUL, dated 23 December 2016, was refused by notice dated 6 March 2017.
 - The development proposed is the conversion of the property into 4 self-containing flats.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the property into 4 self-containing flats at Alfriston, Wayside, Golders Green, London NW11 8QY in accordance with the terms of the application Ref 16/8198/FUL, dated 23 December 2016 and subject to the conditions below.

Main Issue

2. The main issue is the effect of the development on the character of the street with particular regard to the representation of houses in the street.

Reasons

3. Policy DM01 of the Barnet Development Management Policies Development Plan Document 2012 (DPD) seeks development to preserve and enhance local character. It states, amongst other things, that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.
 4. The appeal site is the southern-most dwelling in a group of three detached properties on the south-western side of Wayside. Immediately to the south of the appeal site are the extensive open grounds of Basing Hill Park which adjoin a considerable length of the street. To the north-west of the group are a series of rear gardens associated with properties on the adjacent Hendon Way. This area forms a gap in built development before two flatted developments at the north-western end of Wayside, known as Alyan Court and Pallester Court, are reached. On the opposite side of the road to the appeal site, built development predominantly takes the form of the side elevations of dwellings in streets running perpendicular to Wayside.
 5. From the information before me and my visit it is apparent that Wayside lacks a strongly cohesive and continuous built form. It seems to me that the character of this street is more strongly defined as part of the setting to Basing
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Hill Park and as a gateway to other residential streets leading from it. Notwithstanding this, pedestrian and vehicle access to the aforementioned flats is available from Wayside. Therefore although the fronts of these buildings face Hendon Way, both still have a functional relationship with Wayside.

6. Drawing the aforementioned considerations together, I am not persuaded that Wayside constitutes a street that can be said to be characterised by houses. Furthermore, although the proposed development would result in the loss of an independent unit of accommodation, two of the proposed units would be two bedroom properties capable accommodating small families. Any policy resistance to the loss of larger family dwellings has not been drawn to my attention. Minimal external alterations are proposed to the building, to the extent that there would be no strong physical evidence of conversion to smaller units, and nothing that would harm the character and appearance of the street scene.
7. I therefore conclude that the proposal would not result in harm to the character of the street with particular regard to the representation of houses there. Accordingly it would not conflict with the National Planning Policy Framework and Policies CS1 and CS5 of the Barnet Core Strategy 2012; Policy DM01 of the DPD and the Council's Residential Design Guidance Supplementary Planning Document 2013 insofar as they seek to deliver a choice of homes, widening opportunities for sustainable, inclusive and mixed communities and high quality design which preserves and enhances local character.

Other Matters

8. A letter of objection was received from a third party raising concerns about increased vehicle parking and noise disturbance associated with the development. The proposal would incorporate five off-street car parking spaces. This seems to me to be adequate to serve the scale of development proposed, noting that there has been no objection from the Council in this regard. The small number of additional vehicles associated with the site would not be expected to result in any significant impact on air quality.
9. Whilst the proposed development would result in more intensive use of the site, the use would nevertheless remain as residential within an established residential area. The proposal would not therefore be expected to result in undue noise disturbance for nearby residents once implemented. Any noise associated with construction work would be temporary in nature and so would not in itself justify refusal of planning permission.

Conditions

10. The Council has not suggested the imposition of any conditions in the event of the appeal being allowed. I shall impose conditions specifying the plans and requiring details of the external materials in order to safeguard the character and appearance of the area. A condition requiring the provision and retention of parking spaces is also required to protect the living conditions of residents.

Conclusion

11. For the above reasons and, having had regard to all other matters raised, I conclude that the appeal should be allowed.

Roy Merrett

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development to which the permission relates shall be carried out in accordance with the following approved plans and specifications: 543-00-01 Rev A; 549-00-02 Rev A; 549-EX-00 Rev A; 549-EX-01 Rev A; 549-EX-02 Rev A; 549-EX-04 Rev A; 549-EX-05 Rev A; 549-EX-06 Rev A; 549-EX-07 Rev A; 549-PR-00 Rev D; 549-PR-01 Rev D; 549-PR-04 Rev A; 549-PR-05 Rev A.
- 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the garage conversion hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to first occupation of the development, the parking spaces as shown on the approved drawing shall be surfaced and marked out. The parking spaces shall thereafter be retained.